

MINUTES

of the
Local Planning Panel
held in
Council Chambers,
Wingecarribee Shire Council Civic Centre,
68 Elizabeth Street, Moss Vale
on

Wednesday 25 October 2023

The meeting commenced at **2:00 pm**

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**MINUTES OF THE LOCAL PLANNING PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON
WEDNESDAY 25 OCTOBER 2023 COMMENCING AT 2:00 PM**

Present:

Chairperson	Julie Walsh
Expert	Scott Barwick
Expert	Linda Kelly
Community Representative	Robert Staas

In Attendance:

Coordinator Development Assessment	Chris Young
Acting Manager Strategic Outcomes	Nicole Dukinfield
Executive Assistant Director Communities and Place	Leesa Stratford

1 OPENING OF THE MEETING

The Chairperson opened the meeting and welcomed members of the public and the press.

2 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged country:

“Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.”

3 APOLOGIES

There were no apologies for this meeting.

4 DECLARATIONS OF INTEREST

There were no Declarations of Interest declared at this meeting.

5 PLANNING PROPOSALS

5.1 Planning Proposal to insert additional Farm Stay Accommodation provisions in to WLEP 2010

Report Author: Coordinator Strategic Policy
Authoriser: Acting Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT the Planning Proposal adopted by Council on 18 May 2022 to amend WLEP 2010 with regard to Farm Stay Accommodation provisions be replaced with the updated Planning Proposal accompanying this report to reflect recent amendments to the Standard Instrument Local Environmental Plan and BE SUPPORTED for progression to a Gateway Determination through the Department of Planning & Environment under s3.34 of the *Environmental Planning & Assessment Act 1979*.

PANEL'S ADVICE

The Panel support the Officer's recommendation that the Proposal adopted by Council on 18 May 2022 to amend WLEP 2010 with regard to Farm Stay Accommodation provisions be replaced with the updated Planning Proposal accompanying this report to reflect recent amendments to the Standard Instrument Local Environmental Plan and BE SUPPORTED for progression to a Gateway Determination through the Department of Planning & Environment under s3.34 of the Environmental Planning & Assessment Act 1979.

REASONS:

The Panel generally agrees with the Council Officer's report.

VOTING: UNANIMOUS

5.2 Bowral Town Centre Master Plan - Draft for Public Exhibition

Report Author: Strategic Land Use Planner
Authoriser: Acting Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT:

1. The Draft Bowral Town Centre Master Plan be endorsed for public exhibition.
2. The Draft Bowral Town Centre Master Plan be placed on Public Exhibition for a period of eight (8) weeks.
3. The Draft Bowral Town Centre Master Plan be reported back to Council at the conclusion of the exhibition period, outlining a summary of the outcomes of the public exhibition.

PANEL'S ADVICE

1. *The Draft Bowral Town Centre Master Plan be endorsed for public exhibition subject to consideration being given to the following:*
 - a. *clarification of the height diagrams/limits on page 47 of the draft masterplan having regard to roof plant and structures including lift over runs.*
 - b. *prescribing a maximum street wall height on page 46*
 - c. *pedestrian connectivity between Bowral Station and the Town Centre.*
 - d. *recognition that Council is investigating alternatives to onsite parking provision on the redevelopment of sites within the Town Centre and a funding mechanism to recoup the cost of public carparking to services such development.*
 - e. *additional landscaping to station street carpark*
 - f. *future improvement to the railway bridge between Station Street and Kirkham Road*
 - g. *A funding mechanism for provision of public infrastructure (including carparking) and public domain improvements*
2. *The Draft Bowral Town Centre Master Plan be placed on Public Exhibition for a period of eight (8) weeks.*
3. *The Draft Bowral Town Centre Master Plan be reported back to Council at the conclusion of the exhibition period, outlining a summary of the outcomes of the public exhibition.*

REASONS:

The panel generally agrees with the Council Officer's report subject to paragraph one above.

VOTING: UNANIMOUS

6 DEVELOPMENT APPLICATIONS

6.1 Development Application 23/1006 - Development Application for a Single Storey Dwelling House at Lot 4 DP1284583, No 588A Moss Vale Road Burradoo

Report Author:	Consultant Planner
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Authoriser: Director Communities and Place

Scott Lee, LEP Consulting addressed the Panel as the applicant and on behalf of the owner.

OFFICER'S RECOMMENDATION

THAT the Local Planning Panel determines DA23/1006 for a single storey dwelling house at Lot 4 DP1284583 by REFUSAL subject to the reasons specified in the recommendation to this report.

PANEL DETERMINATION

The Panel determines DA23/1006 for a single storey dwelling house at Lot 4 DP1284583 by REFUSAL for the following reasons:

1. *Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979, the proposed development is unsatisfactory having regard to the provisions of Wingecarribee LEP 2010. In particular:*
 - (a) The proposal is unsatisfactory in terms of Clause 2.3 - the objectives of the C3 Environmental Management zone, as it does not protect, manage and restore areas with special ecological, scientific or aesthetic values.*
 - (b) The proposal is unsatisfactory when assessed under:*
 - *Clause 5.10 - Heritage Conservation;*
 - *Clause 7.3 - Earthworks*
 - *Clause 7.5 - Natural Resources Sensitivity – Water.*
2. *Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning & Assessment Act 1979, the proposed development is unsatisfactory when assessed under the Rural Lands Development Control Plan applying to the site. In particular:*
 - (a) The proposal is unsatisfactory in terms of Part A8.7 - Burradoo Landscape Conservation Area – as the front elevation of the dwelling (to Moss Vale Road) will present a broad/wide built form, which would have an adverse impact on the*

landscape and scenic qualities of this location, and will also affect view corridors. The development also proposes a formal landscaping scheme with a large expanse of hedges, which will add to these impacts.

(b) The proposal is also unsatisfactory in terms of the following Parts of the Rural Lands Development Control Plan:

- *A2.1 - Objectives*
- *A2.2 - The Natural Bushland Ecological Setting*
- *A2.3 - The Rural Ecological Setting*
- *A3.5 - Site Analysis*
- *A3.6 - Cut and Fill*
- *A3.7 - Siting of Rural Buildings*
- *A4.6 - Earth Works*
- *A4.7 - Protection of Trees, Bushland & Vegetation during Construction*
- *A4.9 - Arborist Report*
- *A5.5 - Stormwater Management Plans*
- *Section A8 – Heritage Conservation*
- *A9.3 - Building near or over Council Mains and Easements*
- *Section B2.1 - Residential and Ancillary Development*

3. *Pursuant to Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979, the proposed development will have unsatisfactory in terms of likely impacts on the natural and built environment. In particular, the proposal would have an adverse impact on the landscape and scenic qualities of this location and will also affect view corridors. The development also proposes a formal landscaping scheme with a large expanse of hedges, which will add to these impacts.*
4. *Pursuant to Section 4.15(1)(c) of the Environmental Planning & Assessment Act 1979, the subject site is not suitable for the proposed development (as presented for assessment in the current development application). In particular, the proposal would have an adverse impact on the landscape and scenic qualities of this location and will also affect view corridors. The development also proposes a formal landscaping scheme with a large expanse of hedges, which will add to these impacts.*
5. *Pursuant to Section 4.15(1)(e) of the Environmental Planning & Assessment Act 1979, in the circumstances of this case, approval of the proposed development is not in the public interest.*
6. *The Proposal does not comply with the building envelope restriction created on registration of the plan of subdivision.*
7. *The building envelope restriction of 600^m2 is generous and it should be possible to design a substantial dwelling within the constraints of the building envelope, while also not impinging on the view corridor restriction*

- 8. The design fails to respect the objectives of minimising visual impact of the buildings and maximising spatial separation between dwelling and ancillary buildings.*
- 9. Council has approved dwelling houses on lot 1 & 3 which substantially comply with the building envelop restriction*
- 10. Approval of the proposed development would create an adverse precedent for development of the remaining lots within the subdivision*

REASONS:

The Panel generally agrees with the Council officers report and have added additional items below:

VOTING: UNANIMOUS

7 MEETING CLOSURE

Being no further business, the meeting closed at **3.24pm**
